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AIRGRAM

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RM/P 12	REP 1	AF
ARA 10	EUR	FE
NEA	CU	INR 5
E 4	P	IO 5
L-3	FBO	AID 9
SPM 1	SCI 5	ACDA 17
AGR 1	COM 10	FRB
INT 7	LAB	TAR
TR 4	XMB	AIR
ARMY 3	CIA 20	NAVY 5
OSD 34	NSA 10	NSA 3

A-96

LIMITED OFFICIAL USE

HANDLING INDICATOR

TO : Department of State

INFO : USCINCSO
CINCLANT

FROM : Amembassy SANTO DOMINGO

SUBJECT : Dominican Laws Covering Territorial Seas, Contiguous Zone, Continental Shelf and Access to Territorial Waters
REF : and Ports by Ships of War and Military Aircraft

RECEIVED
APR 1 8 49 AM 1969
ANALYST BRANCH
DATE: 3/26/69

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1. The Embassy encloses three copies in Spanish of a pamphlet issued by the Dominican Navy containing the text of Law 186 (territorial seas, contiguous zone, continental shelf) and Law 366 (access by ships of war and military aircraft), and four copies of a map depicting the territorial sea, contiguous zone and continental shelf of the Dominican Republic as defined in Law 186. One copy of the pamphlet was sent to the Embassy with note No. EA-3777 dated February 20, 1969, by the Secretariat of State for Foreign Relations. An informal translation of that note is enclosed for the Department's information (enclosure No. 1).
2. Article 1 of Law 186 establishes Dominican territorial waters at six miles and Article 3 a contiguous zone of an additional six nautical miles in which DR jurisdiction will apply with respect to fishing rights and other natural resources of the sea. Article 7 defines the continental shelf as extending beyond the territorial sea to a depth of 200 meters, or beyond that limit to the depth at which exploitation of natural resources is still possible.
3. Article 2 of Law 366 specifies three types of ship or aircraft visits in time of peace, i.e., formal, informal or operational. Article 3 stipulates that authorization for formal and informal visits must be applied for to the Secretariat of State for Foreign Relations through diplomatic channels not less than four weeks ahead of the arrival date and not less than two weeks in the case of operational visits. Article 3 also specifies the information

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Drafted by POL:JCHaahr:csw:3/24/69

Contents and Classification Approved by: DCM Xchange:FJDevine

Clearances: DAO:LTC Lawrence(draft) ECON:LElsbernd (in substance)

Santo Domingo A-96

Page 2

LIMITED OFFICIAL USE

to be included in the request. Article 5 states that no more than three ships or aircraft of one nation may enter simultaneously for formal or informal visits.

4. Law 186 was promulgated on September 13, 1967, and Law 366 on October 14, 1968. End UNCLASSIFIED.

5. Begin LIMITED OFFICIAL USE. DAO clearance of ships and aircraft differs in practice from the requirements stipulated in Law 366. The present practice was in effect before that Law was promulgated and has been continued since with the express approval of the Secretariat of State for the Armed Forces. DAO normally requires a minimum of 48 hours for aircraft clearance (except over weekends and holidays when a longer period of notice is required) and at least seven days (but preferably more) for ships. The clearance request is made directly to the Secretariat of State for the Armed Forces; the Secretariat of State for Foreign Relations is not presently involved nor (we believe) informed by the Secretariat of State for the Armed Forces.

~~REVIEW~~

CRIMMINS

J.H.C.
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J.J.D.

^{all m.m.}
Enclosure:a/s

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Santo Domingo A- 96
Enclosure No. 1

Informal Translation of Note No. EA-3777
of February 20, 1969, from the Secretariat
of State for Foreign Relations

"I have the honor to address myself to Your Excellency in order to send, together with this note, a pamphlet which contains Law No. 186 on the Territorial Sea, Contiguous Zone and Continental Shelf and Law No. 366 on the Access to and Stay of Ships of War and Military and Naval Aircraft in Ports, Airports and Dominican Territorial Waters in Time of Peace, and a copy of the map depicting the terms of Law No. 186 of September 13, 1967, on Territorial Waters, Contiguous Zone and Continental Shelf, in agreement with the Geneva Conventions of 1958 on the Law of the Sea, approved by Resolution No. 300 on June 18, 1964.

"The Government of the Dominican Republic, in execution of the law promulgated by the National Congress, has put into force, with all of its Constitutional importance, the instrument which has as its base the Geneva Conventions of 1958 on these matters."

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